

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1491

IN THE MATTER OF:

Served January 29, 1976

Application of TRANSEMANTICS, INC.,)
for Certificate of Public Conven-)
ience and Necessity to Perform)
Charter Operations)

Application No. 901

Docket No. 307

By Application No. 901, filed December 24, 1975, Transemantics, Inc., seeks a certificate of public convenience and necessity, pursuant to Title II, Article XII, Section 4(b) of the Compact, to transport passengers, over irregular routes, in charter operations, between points within the Metropolitan District. 1/ Transemantics seeks authority to operate a tour service using motor vehicles, including tour bus, car or limousine.

Transemantics would provide three tours 2/ to individuals or groups of seven persons or less. The Grand Tour of the Nation's Capital

1/ The Metropolitan District embraces the District of Columbia, the cities of Alexandria and Falls Church, the counties of Arlington and Fairfax, and political subdivisions of the State of Virginia located within those counties and that portion of Loudoun County, Virginia, occupied by the Dulles International Airport and the counties of Montgomery and Prince George's in the State of Maryland and political subdivisions of the State of Maryland located within said counties, and all other cities now or hereafter existing in Maryland or Virginia within the geographic area bounded by the outer boundaries of the combined area of said counties, cities and airport. See Compact, Title I, Article I. The Compact expressly provides that the provisions of Title II do not apply to transportation rendered solely within the Commonwealth of Virginia. See Title II, Article XII, Section 1(b). Accordingly, the Application will not be considered to be requesting authority to transport passengers, over irregular routes, between two points solely within the Commonwealth of Virginia.

2/ Transemantics would provide a tour of Annapolis, Maryland. That tour service would not be within the jurisdiction of this Commission.

would cover more than 40 attractions, including The White House, the United States Capitol Building, the Jefferson Memorial, the Lincoln Memorial, Arlington National Cemetery, the new FBI Building, the Kennedy Center for the Performing Arts, and the Iwo Jima Memorial. The Georgetown and Embassy Row Tour would cover Georgetown and the embassies along Massachusetts Avenue, including the only Islamic mosque in North America, the National Observatory, the National Cathedral, and Dumbarton Oaks. The third tour would cover Old Alexandria and Mount Vernon, Virginia, including a stop at Christ Church.

Transemantics would render the proposed charter tour service in either a maxiwagon or limousine. The following table summarizes the approximate time and applicable fare for each tour.

<u>Tour</u>	<u>Time</u>	<u>Mini-Bus</u>	<u>Limousine</u>
Grand Tour	5 hours	\$55	\$60
Georgetown and Embassy Row	4 hours	44	55
Alexandria and Mount Vernon	4 hours	44	55

Title II, Article XII, Section 4(b) of the Compact provides as follows:

When an application is made under this section for a certificate, . . . , the Commission shall issue a certificate to any qualified applicant therefor, . . . , if it finds, after hearing held upon reasonable notice, that the applicant is fit, willing and able to perform such transportation properly and to conform to the provisions of this Act and the rules, regulations, and requirements of the Commission thereunder, and that such transportation is or will be required by the public convenience and necessity; otherwise such application shall be denied. (Emphasis added.)

Pursuant to this mandate, the Commission shall schedule a hearing to develop an appropriate record. Transemantics shall be assessed an amount preliminarily estimated to be sufficient to cover the expenses which the Compact, Title II, Article XII, Section 19(a) requires the carrier to bear.

The reason for the hearing is to fully develop the basis for any findings as to Transemantics' fitness to perform the proposed transportation service and the existing requirements of the public convenience and necessity for the proposed transportation service. The Commission shall require Transemantics to submit and be prepared to support with a competent

witness a statement projecting revenues and revenue deductions, including taxes, for a one year period, together with supporting details, including the ratio between revenue deductions and revenues. Transemantics shall be directed to file six (6) copies of the projection statement with the Commission and serve one copy on each party of record on or before March 1, 1976. Transemantics shall be prepared to present evidence that public convenience and necessity require the proposed service. Should Transemantics elect to submit prepared testimony at the hearing, then six (6) copies of said testimony also should be filed with the Commission and one copy served on each party of record on or before March 1, 1976.

THEREFORE, IT IS ORDERED:

1. That Application No. 901 of Transemantics, Inc., be, and it is hereby, scheduled for public hearing to commence Monday, March 8, 1976, at 10:00 A. M., in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.

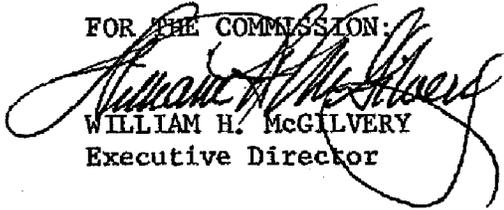
2. That Transemantics, Inc., publish in a newspaper of general circulation in the Metropolitan District a notice in the form prescribed by the staff of the Commission of such application and hearing no later than Saturday, February 7, 1976, and present at the hearing a certificate of publication from the selected newspaper.

3. That six (6) copies, the original to be submitted at the hearing, of the projection statement required hereinbefore and any prepared testimony be filed by Transemantics, Inc., with the Commission together with a certificate indicating that one copy was served on each party of record on or before Monday, March 1, 1976.

4. That any person desiring to protest shall file a protest in accordance with Commission Rule 14, or any person desiring to be heard on this matter shall notify the Commission, in writing, on or before Wednesday, February 25, 1976, and shall mail a copy of such protest or notice to counsel of record for Transemantics, Inc., Louis Rabil, Esquire, Heffelfinger, Schweitzer & Rabil, 1750 K Street, N. W., Washington, D. C. 20006.

5. That Transemantics, Inc., be, and it is hereby, assessed \$200 pursuant to the provisions of the Compact, Title II, Article XII, Section 19 and directed to deliver said amount to the office of the Washington Metropolitan Area Transit Commission, Room 314, 1625 I Street, N. W., Washington, D. C., on or before Wednesday, March 3, 1976.

FOR THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director

